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FAX COVER SHEET

DATE: March 17, 2006
 TO: **Office of Petitions** FROM: Judith A. Parrish
 FIRM: USPTO FAX NO.: (954) 828-9122
 FAX NO.: 1-571-273-8300 PHONE NO.: (954) 828-1488
 PHONE NO.: 1-571-272-3209 E-MAIL: jparrish@cwiplaw.com
 FILE NO. 1172-3U PAGES, INCLUDING COVER **18**

Re: Application Number: **09/993,820**
 Filing Date: **November 16, 2001**
 Applicant(s): **Darin Prizzi**
 Entitled: **TOWEL HOLDER**
 Examiner: **Anita M. King**
 Group Art Unit: **3632**
 Attorney Docket No.: **1172-3U**

51881

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Attorney Docket No. 1172-3U
U.S. Patent Application No. 09/993,820

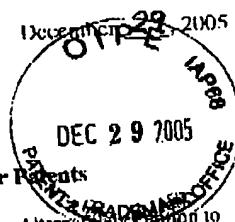
Filed: November 16, 2001

Applicant(s): Darin Prizzi

Title: TOWEL HOLDER

Received by Box Petitions, Commissioner for Patents

1. Communication
2. A copy of Renewed Petition Under 37 CFR 1.81 or Alternative Motion to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005.
3. Copy of a Check to Director in the amount of \$85
4. Transmittal letter
5. Copy of cancelled check for previously paid filing fee



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CHRISTOPHER & WEISBERG, P.A.
 200 East Las Olas Boulevard - Suite 2040
 Fort Lauderdale, Florida 33301
 Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: Application No:	09/993,820	Examiner:	Anita M. King
Applicant(s):	Darin Prizzi	Group Art Unit:	3632
Filing Date:	11/16/2001		
Entitled:	TOWEL HOLDER		
Attorney Docket No.	1172-3U		

<u>Certificate of Mailing (37 C.F.R. 1.8(a))</u>			
I hereby certify that this correspondence is being Hand Delivered in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.			
December <u>29</u> , 2005	Scott Paul, Esq.	<u>Scott Paul, Esq.</u>	
Date of Signature and Mail Deposit	Name of Person Signing	Signature	

Sir:

Transmitted herewith is a COMMUNICATION, and the following documents for your review:

- Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005 to Mail Stop Petitions, Commissioner for Patents
- Notice of Change of Correspondence Address is enclosed.
- Copy of cancelled check for previously paid petition (fee for \$665) is enclosed.
- Copy of a check for \$85 dated March 3, 2005 for new petition fee is enclosed.
- A self-addressed, stamped postcard for verification and receipt is enclosed.
- The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Dated: December 29, 2005

Allen Brulkey /ap
 Attorney of Record: Allen D. Brulkey
 Registration No: 21,056

46108

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Scott Paul, Esq.
Name of Person Delivering Paper

Signature of Person Delivering Paper

December 29, 2005
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/993,820

Filing Date: November 16, 2001

Applicant(s): Darin Prizzi

Entitled: TOWEL HOLDER

Examiner: Anita M. King

Group Art Unit: 3632

Attorney Docket No.: 1172-3U

Mail Stop Petitions
Commissioner For Patents
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Alexandria, VA 22313-1450

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MAR 23 2006

COMMUNICATIONS

GROUP 3600

On March 7, 2005, Applicant submitted a "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)." A copy of the Renewed Petition as filed on March 7, 2005, is attached as Exhibit A. To date, a decision has not been rendered. Furthermore, a check with the USPTO website, specifically, the transaction history for this Application, shows that said petition is not

Application No. 09/993,820
Filed: 11/16/2001
Attorney Docket No.: 1172-3U

recorded as being received by the USPTO. In fact, the last entry on the transaction history for this Application dates back to June 30, 2004. A copy of the transaction history is enclosed as Exhibit A.

On March, 14, 2005, the undersigned attorney received the return postcard from the USPTO, indicating receipt of said petition on March 11, 2005. A copy of the return postcard is attached as Exhibit B.

Furthermore, a check in the amount of \$85.00, made payable to the Director of the USPTO, check no. 4360, and dated March 3, 2005, was submitted with the renewed petition, and later deposited by the USPTO on the drawers account.

WHEREFORE, we enclose herewith, the "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)" and request that the filing date for this Renewed petition be as at March 11, 2005, the date it was originally received by the USPTO.

Date: December 19, 2005

Respectfully submitted,

Allen Brufsky / smp
Allen D. Brufsky, Esq.
Registration Number 21056
Attorney for Applicant
CHRISTOPHER & WEISBERG, P.A.
200 East Las Olas Boulevard, Suite 2040
Fort Lauderdale, Florida 33301
Customer No. 31292
Telephone: (954) 828-1488
Facsimile: (954) 828-9122

45900

EXHIBIT A

**USPTO: PLEASE VERIFY, STAMP DATE
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March 7, 2005

Attorney Docket No. 1172-3U, U.S. continuation patent application -

Applicant(s):

For: TOWEL HOLDER

Received by Box Petitions, Commissioner for Patents

1 Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive

Unintentionally Abandoned Application Under 37 CFR 1.37(b)

2. Check to Director in the amount of \$85

3. Transmittal letter

4. Copy of cancelled check for previously paid filing fee

CHRISTOPHER & WEISBERG, P.A.
 200 East Las Olas Boulevard - Suite 2040
 Fort Lauderdale, Florida 33301
 Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: Application No:	09/993,820	Examiner:
Applicant(s):	Darin Prizzi	Group Art Unit:
Filing Date:	11/16/2001	
Entitled:	TOWEL HOLDER	
Attorney Docket No.	1172-3U	

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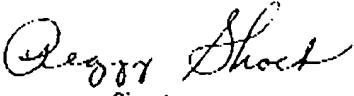
I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

March 7, 2005

Peggy Shock

Date of Signature and Mail Deposit

Name of Person Signing


Signature

Sir:

Transmitted herewith is a Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b)

- Notice of Change of Correspondence Address is enclosed.
- A self-addressed, stamped postcard for verification and receipt is enclosed.
- Copy of cancelled check for previously paid petition fee for \$665.
- ~~for \$85 for new petition fee.~~
- The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Date: March 7, 2005

Allen Brufsky, Jr.
 Attorney of Record: Allen D. Brufsky
 Registration No: 21,056

30804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Darin Prizzi
Title: Towel Holder
Serial No.: 09/993,820
Filed: November 16, 2001

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 C.F.R. 1.81 OR ALTERNATIVELY
PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 C.F.R. 1.37(b)

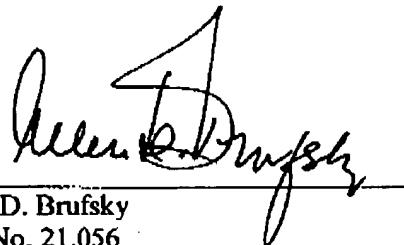
Responsive to the "Decision on Petition to Withdraw the Holding of Abandonment" (copy enclosed), dated June 17, 2004, Petitioner agrees with the Examiner that "The required notification of change of correspondence address need take no particular form". In the office action response dated 9/9/02 which was held non-compliant, applicant's attorney signed the paper giving his customer number 32575 as an indication of the correspondence address. This number was a clear indication of the correspondence address to be used in corresponding with the applicant. If the Patent Office had directed its holding of non-responsiveness to the customer number address, applicant's attorney would have received the same.

Therefore, it is respectfully requested that reconsideration of the decision on petition to withdraw the holding of abandonment should be had in light of this information, and the holding withdrawn.

If the above notification of change of correspondence address is still deemed sufficient, it is respectfully requested that the petition be converted to one to revive the application under 37 C.F.R. 1.137(b). The required reply to the non-compliant notice has previously been submitted

with the original petition to withdraw the holding of abandonment. The entire reply from the due date for the reply until the filing of this petition was unintentional as indicated by the factual findings. The fee for the petition of \$665 (small entity) was previously paid by Check No. 2871, a copy of which is enclosed. Enclosed is a check for \$85, representing the difference in the current fees.

Date: March 7, 2005

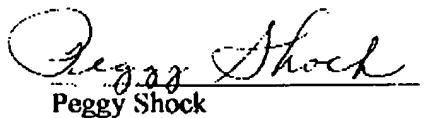


Allen D. Brufsky
Reg. No. 21,056
200 East Las Olas Boulevard
Suite 2040
Fort Lauderdale, FL 33301
Phone: 954-828-1488
Fax: 954-828-9122
CUSTOMER NUMBER 32575

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this communication is being deposited with the United States Postal Service with sufficient postage as "First-Class" mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 7, 2005.


Peggy Shock

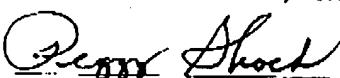
30641

PATENT

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Peggy Shock
Name of Person Mailing Paper


Signature of Person Mailing Paper

March 7, 2005
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Serial Number: 09/993,820
 Filing Date: November 16, 2001
 Applicant(s): Darin Prizzi
 Entitled: TOWEL HOLDER
 Examiner: Anita M. King
 Group Art Unit: 3632
 Attorney Docket No.: 1172-3U

NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

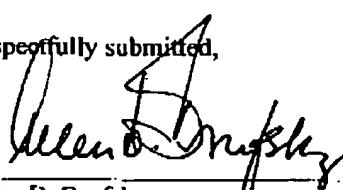
Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Please address all future communications for the above-identified application to:

Allen D. Brufsky, Reg. No.: 21056
 CHRISTOPHER & WEISBERG, P.A.
 200 East Las Olas Boulevard - Suite 2040
 Fort Lauderdale, Florida 33301
 Tel: (954) 828-1488
 Fax: (954) 828-9122
 Customer No. 32575

Respectfully submitted,



Dated: March 7, 2005

By:

Allen D. Brufsky
 Reg. No. 21056
 Attorney for Applicant(s)
 Christopher & Weisberg, P.A.
 200 East Las Olas Boulevard, Suite 2040
 Fort Lauderdale, FL 33301
 Customer No. 31292

30645

2006-03-17 16:01

CHRISTOPHER & WEISBERG, P.A.
200 E LAS OLAS BLVD., SUITE 100
FT LAUDERDALE, FL 33301

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CHRISTOPHER & WEISBERG, P.A.

4360

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Invoice Date	Invoice No.	Description	Reference No.	Amount
3/3/2005	Filing Fee 1172-3U	Filing Fee 1172-3U		85.00

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PAGE 12/18 * RCVD AT 3/17/2006 4:01:00 PM [Eastern Standard Time] * SVR:USPTO-EXRF-1/0 * DNIS:2738300 * CSID: * DURATION (mm:ss):03:28

ALLEN D. BRUFSKY, P. A.
REGISTERED PATENT ATTORNEY
PHONE 239-261-9393
600 FIFTH AVE
NAPLES, FL 34102

2871

6/14/04

63-643-670
BRANCH 88342

DATE

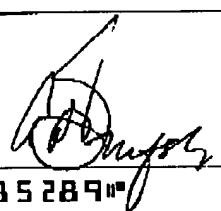
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EXHIBIT B

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09/993,820 Towel holder



Contents Description	
Date	
06-30-2004	Workflow incoming petition (FW)
06-17-2004	Petition Decision - Dismissed
04-26-2004	Petition Entered
04-26-2004	Workflow incoming petition (FW)
03-09-2004	Mail Abandonment for Failure to Respond to Office Action
03-08-2004	Abandonment for Failure to Respond to Office Action
08-26-2003	Mail Notice of Informal or Non-Responsive Amendment
08-22-2003	Date Forwarded to Examiner
08-07-2003	Informal or Non-Responsive Amendment after Examiner Action
08-07-2003	Response after Non-Final Action
05-07-2003	Mail Non-Final Rejection
05-05-2003	Non-Final Rejection
02-26-2003	Date Forwarded to Examiner
02-12-2003	Supplemental Response

02-26-2003	Date Forwarded to Examiner
02-12-2003	Request for Continued Examination (RCE)
02-26-2003	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
02-12-2003	Workflow - Request for RCE - Begin
11-27-2002	Mail Final Rejection (PTOL - 326)
11-25-2002	Final Rejection
09-24-2002	Date Forwarded to Examiner
09-16-2002	Response after Non-Final Action
08-14-2002	Mail Non-Final Rejection
08-09-2002	Non-Final Rejection
02-05-2002	Correspondence Address Change
12-31-2001	Case Docketed to Examiner in GAU
12-11-2001	Application Dispatched from OIPE
12-07-2001	Correspondence Address Change
12-03-2001	IFW Scan & PACR Auto Security Review
11-16-2001	Initial Exam Team m

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- If you experience technical difficulties or problems with this application, please report them via e-mail to Business Support or call 1 800-786-9199.

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EXHIBIT C

**USPTO: PLEASE VERIFY, STAMP DATE
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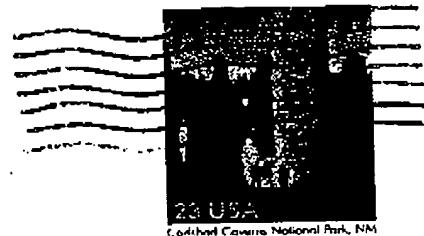
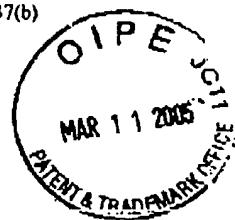
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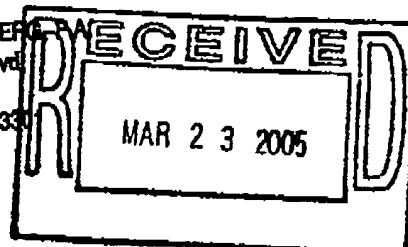
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